IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

WEDNESDAY, THE 1ST NOVEMBER 2006 / 10TH KARTHIKA 1928

WP(C).No. 22808 of 2006(M)

PETITIONER:

POOKOT VIJAYAN, M/106,
CHANGAMPUZHA NAGAR, COCHIN-682 033.

BY ADV. SRI.B.PREMNATH (E)

RESPONDENTS:

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1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

2. THE JOINT REGISTRAR (GENERAL) OF CO-OPERATIVE SOCIETIES, PALAKKAD.

3. VALLANGHY VITHANASSERY SERVICE CO-OPERATIVE BANK LTD.NO.282, VITHANASSERY, NENMARA P.O., PALAKKAD DISTRICT, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.S.M.PREM FOR R3
SMT.K.P.SANTHI
G.P.SMT.A.G.ANEETHA FOR R1 & R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. Thankappan, J.

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W.P.(C). No. 22808 of 2006

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Dated this the 1st day of November, 2006

JUDGMENT

Petitioner is a member of the 3rd respondent society. He deposited an amount of Rs.3,000/- in the account of one Sri. Ponnumani Mannadiar with the 3rd respondent and Ext.P1 receipt was issued to him. The complaint of the petitioner is that his name was not mentioned in Ext.P1 receipt. He submitted Ext.P2 complaint before the 1st respondent and also requested the 3rd respondent to mention his name as the remitter. Admittedly, the petitioner deposited the amount in the account of Sri.Ponnumani Mannadiar with the respondent bank. The case of the petitioner is that Ext.P1 receipt does not mention the name of the remitter. It is seen that in Ext.P1 receipt there is no column to record the name of the remitter. Ext.P1 would show the name of the person in whose name the amount is paid. In Ext.P3 letter issued by the respondent bank it is stated that if a third party was depositing amount in the account, the name of the third party would be incorporated in the receipt if he requires and in this matter no such request was seen made before issuing Ext.P1 receipt. There is no evidence to show that Ext.P1 receipt issued by the 3rd respondent is not in accordance with law. Hence,

the writ petition is dismissed. It is made clear that no enquiry is necessary as per Ext.P4.

K.Thankappan,
Judge.

mn.

K. Thankappan,J.

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W.P.(C) No. /2006

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Judgment

1-11-2006